

**U.S. District Court**  
**Eastern District of New York (Brooklyn)**  
**CIVIL DOCKET FOR CASE #: 1:18-cv-04273-MKB-LB**

Ye v. Police Department in New Castle, Delaware et al  
Assigned to: Judge Margo K. Brodie  
Referred to: Magistrate Judge Lois Bloom  
Cause: 28:1331 Fed. Question

Date Filed: 07/27/2018  
Date Terminated: 11/09/2018  
Jury Demand: None  
Nature of Suit: 890 Other Statutory Actions  
Jurisdiction: Federal Question

**Plaintiff**

**Ning Ye**  
represented by **Ning Ye**  
135-11 38th Avenue  
1A  
Flushing, NY 11354  
718-308-6626  
PRO SE

V.

**Defendant**

**Police Department in New Castle, Delaware**

**Defendant**

**PTLM W. Cuzo-Benites**

**Defendant**

**Mary Roe**  
*Arresting Offfucer of Del. Riv and Bay Auth. c/o*  
*Police Department in New Castle, Delaware*

Date Filed	#	Docket Text
07/27/2018	<u>1</u>	COMPLAINT against Mary Roe, PTLM W. Cuzo-Benites, Police Department in New Castle, Delaware, filed by Ning Ye. (Attachments: # <u>1</u> Civil Cover Sheet) (Davis, Kimberly) (Entered: 07/30/2018)
07/27/2018	<u>1</u>	FILING FEE: \$ 400, receipt number 4653130636 (Davis, Kimberly) (Entered: 07/30/2018)
07/27/2018	<u>2</u>	Summons Issued as to Mary Roe, PTLM W. Cuzo-Benites, Police Department in New Castle, Delaware. (Davis, Kimberly) (Entered: 07/30/2018)
07/30/2018	<u>3</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically <b>only if all</b> parties wish to consent. The form may also be accessed at the following link: <a href="http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf">http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf</a> . <b>You may withhold your consent without adverse substantive consequences. Do NOT return or file the</b>

**consent unless all parties have signed the consent.** (Davis, Kimberly) (Entered: 07/30/2018)

09/11/2018	<u>14</u>	<b>ORDER TO SHOW CAUSE:</b> The Eastern District of New York is not the proper venue for this action. Plaintiff alleges that all Defendants are residents of Delaware. All the events giving rise to this action also allegedly occurred in New Castle, Delaware. Accordingly, the Court directs Plaintiff to show cause, within thirty (30) days, why this action should not be transferred to the United States District Court for the District of Delaware. If Plaintiff fails to show cause within thirty (30) days, the Clerk of Court shall transfer this action to the District of Delaware. SO ORDERED by Judge Margo K. Brodie, on 9/11/2018. <i>C/mailed. (Copy of this Order and the attached copy of an unpublished decision cited herein sent to pro se Plaintiff.)</i> (Latka-Mucha, Wieslawa) (Entered: 09/11/2018)
09/27/2018	<u>15</u>	Mail Returned as Vacant. Unable to Forward. Mail – Order to Show Cause was sent to Ning Ye. Address listed on the docket was corrected. Document re-mailed to Ning Ye. (Piper, Francine) (Entered: 10/01/2018)
10/11/2018	<u>16</u>	RESPONSE TO ORDER TO SHOW CAUSE by Ning Ye. (Piper, Francine) (Entered: 10/11/2018)
11/09/2018	<u>17</u>	<b>TRANSFER ORDER:</b> The Eastern District of New York is not the proper venue for this action. Although Plaintiff currently resides in the Eastern District of New York, this action arises from Plaintiff's arrest in Delaware, and all Defendants are residents of Delaware. Accordingly, the Court directs the Clerk of Court to transfer this action to the District of Delaware. 28 U.S.C. § 1406(a). The Court offers no opinion on the merits of this action, which is reserved for the transferee court. The Court waives the provision of Local Rule 83.1, which requires a seven-day stay. No summons shall issue from this Court. The Clerk of Court is directed to close this case. ORDERED by Judge Margo K. Brodie, on 11/9/2018. <i>C/mailed. Case transferred electronically to the United States District Court for District of Delaware via CM/ECF Extract Civil Case. ALL FILINGS ARE TO BE MADE IN THE TRANSFER COURT, DO NOT DOCKET TO THIS CASE.</i> (Latka-Mucha, Wieslawa) (Entered: 11/09/2018)